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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 HENRY PEI,

10 Plaintiff,

11 v.

12 DONG FENG WANG, et al.,

13 Defendants.
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Case No. C19-926-RSM

ORDER OF DISMISSAL

16 The instant matter comes before the Court *sua sponte* and on the Court's prior Order
17 Setting Deadline to Effect Service on Foreign Defendants, Dkt. #9. Plaintiff Henry Pei,
18 proceeding *pro se*, filed his Complaint on June 14, 2019, against Defendants Dong Feng Wang,
19 Qin Xu, Ke Zhi Zhao, and Qing Wei Zhang, who all appear to reside in China. Dkt. #1 at 4. On
20 August 5, 2019, Plaintiff moved for an extension of the initial disclosure deadlines by four to five
21 weeks due to a problem with delivering the summonses to China. Dkt. #3. On August 13, 2019,
22 the Court granted Plaintiff's motion to extend the initial disclosure deadlines and extended the
23 deadline for the Rule 26(f) discovery conference to November 20, 2019, initial disclosures to
24 November 27, 2019, and the Joint Status Report to December 4, 2019. Dkt. #4.
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27 On December 6, 2019, this Court issued an Order directing Plaintiff to either serve
28 Defendants within ninety (90) days or, alternatively, file a Response detailing his efforts to serve

1 Defendants. Dkt. #9 at 3. While the Court noted that Fed. R. Civ. P. 4 “does not impose any
2 specific time limits” for service on foreign defendants, it acknowledged that “the amount of time
3 allowed for foreign service is not unlimited” and accordingly imposed a reasonable time limit of
4 ninety additional days to serve Defendants. *Id.* (quoting *Nylok Corp. v. Fastener World Inc.*, 396
5 F.3d 805, 807 (7th Cir. 2005)). The Court advised Plaintiff that if he “is unable to serve
6 Defendants within ninety (90) days and fails to file a Response that adequately explains his efforts
7 to effect service, the Court will dismiss this case at that time for failure to serve.” *Id.*

9 As of the date of this Order, Plaintiff has failed to file any response in this matter.
10 Accordingly, the Court hereby finds and ORDERS:

- 11 1) Plaintiff’s claims are DISMISSED without prejudice.
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13 2) This matter is CLOSED.

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15 DATED this 9 day of March 2020.

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18 RICARDO S. MARTINEZ
19 CHIEF UNITED STATES DISTRICT JUDGE
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